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08/986,327

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/986,327	12/05/97	SVENSSON	L 06666/013001
			EXAMINER

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MM61/0125

BERHANE, A	PAPER NUMBER
ART UNIT	

2838

DATE MAILED:  
01/25/99

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.**

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

- ☒ Claim(s) 12-46 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☐ Claim(s) 12-46 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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#### DETAILED ACTION

1. The reissue declaration filed December 5, 1997 is defective because:

does not comply with 37 CFR 1.175 (a) (1)

it does not clearly identify an error

does not comply with 37 CFR 1.175 (a) (2)

it lacks the statement "all error".

2. The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

3. Claims 12-46 are rejected as being based upon a defective reissue Declaration under 35 U.S.C. § 251. See 37 C.F.R. § 1.175.

#### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 12-46 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Masuda et al. (4,107,757).

Masuda et al. disclose a pulse power source in figures 1, 3, 4, and 6-9. Charge storage element - 1, capacitive load - 19, switches S0, S1 and S2 and figure 9 shows additional storage element - 38, 38a and 38b.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 12-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Masuda et al.

Applicant's admitted prior art figure 2 discloses the claimed invention except for a charge storage element. Masuda et al. teaches the use of a charge storage element-1 in figure 1 as a voltage source to the circuit. It would have been obvious to one having ordinary skill in the art the time of the invention to

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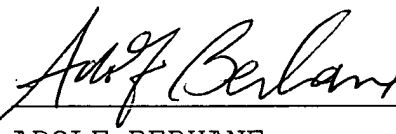
replace the voltage source of applicant's admitted prior art with the charge storage element of Masuda et al. in order to provide steady and cost effective power source.

8. Any inquiry concerning this communication should be directed to the Examiner at the below-listed number on Tues-Fri, 0630 to 1700, EST.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Peter S. Wong, can be reached on 703 305 3477. The fax numbers for this Technology Center 2800 are 703 305 3432 and 703 308 7722.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is 703 308 1782, Mon-Fri, 0830 to 1700, EST.

By:



ADOLF BERHANE  
Primary Examiner  
703 308 3299 (Voice)  
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